

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-2(c)

In re:
AMY FRANCO

Debtor

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:
: Case No.: 15-17972
:
: Judge: Kaplan
:
: Chapter 13
:
:

CHAPTER 13 DEBTOR'S CERTIFICATION IN OPPOSITION TO

☒ **CREDITOR'S MOTION or CERTIFICATION OF DEFAULT**

☐ **TRUSTEE'S MOTION OR CERTIFICATION OF DEFAULT**

The debtor in the above-captioned Chapter 13 proceeding hereby objects to the following (**choose one**):

1. ☒ Motion for Relief from Automatic Stay filed by Bank of America, creditor.

A hearing has been scheduled for October 11, 2016, at 9:00 a.m.

OR

- ☐ Motion to Dismiss filed by the Standing Chapter 13 Trustee.

A hearing has been scheduled for _____ 2016, at 9:00 a.m.

OR

- ☐ Certification of Default filed by _____, creditor.

I am requesting that a hearing be scheduled on this matter.

OR

- ☐ Certification of Default filed by Standing Chapter 13 Trustee

I am requesting that a hearing be scheduled on this matter.

2. I am objecting to the above for the following reasons (**choose one**):

☐ Payments have been made in the amount of \$1,350 on 9/12/16 (to be applied to July 2016), but has not been accounted for.

☐ Payments have not been made for the following reasons and debtor proposes repayment as follows (**explain your answer**): I will make one more payment prior to the Court hearing.

☐ Other (**explain your answer**): I can cure the remaining arrears thru a cure Order.

3. This certification is being made in an effort to resolve the issues raised by the creditor in its motion.
4. I certify under penalty of perjury that the foregoing is true and correct.

Date: _____ /s/ Amy Franco _____

Date: _____ /s/ _____

NOTE:

1. This form must be filed with the Court and served upon the standing Chapter 13 Trustee and creditor at least seven (7) days before the return date pursuant to D.N.J. LBR 9013-1(d), if filed in opposition to a *Motion for Relief from the Automatic Stay* or *Trustee's Motion to dismiss*.
2. This form must be filed with the Court and served upon the Standing Chapter 13 Trustee and creditor within fourteen (14) days of the filing of a *Creditor's Certification of Default* (under an *Order Resolving Motion to Vacate Stay and/or Dismiss with Conditions*) or a *Trustee's Certification of Default*.

If this form is not filed, then the Motion or Certification of Default will be deemed uncontested and no hearing will be scheduled